SATURDAY, MARCH 19, 1859.

There is a journal in Honolulu that would be "Commercial," but is not "Pacific," which amuses itself by circulating rumors and planting protests, apparently for the mere pleasure of the exercise. The latest achievement in this line is in regard to the rumor that the space between the Hayscales and the Store of Messrs. C. L. Richards & Co., in Queen Street, would be leased out by the Government to parties willing to " erect thereon a large store." The Advertiser says that it " feels called upon in this matter to protest against the contemplated lease, inasmuch as the public convenience requires that spot" &c. We do not waste our breath in blowing bubbles; but a protest is a protest, come from what quarter it may, and deserving of notice, inasmuch as it conveys the idea of a wrong done, or contemplat- ent enterprises will also be seen by a reference to ed, to somebody. It is proper, then, that we the map. We began with an apothegm, we will should ask, in behalf of what interest is that protest planted ? It is true that the Advertiser brings of grass to grow is a public benefactor;" how much forward the "public interest" as the Corpus delicii or the suffering patient, but then we all know that grow. What consternation these discoveries must in the hands of a great many publicists "public interest" is simply a cloak for all manner of speculations, combinations, ambition and selfishness. It would, perhaps, be well therefore, to define the position a little closer, and to know whose corns have been trod upon, ere we discuss the subject farther. Surely so shrewd a journalist and so accurate a statist would know that a two or three story building, when placed in its line on a public street, affords more "public convenience" both for storage and office room, than the bare ground ever did. And, notwithstanding our contemporary's protest, to hold that the present barren condition of the locality in question-occasionally relieved by the formation of mud-puddles and the intermittent storage of fire-wood-is preferable to a large fire-proof building like the Coady premises, the Makee, or Janion or Hackfeld blocks in its neighborhood, is a commercial heresy which no "public interest" can be stretched to cover.

The Advertiser says that "it is further stated that in all probability the lease applied for will be granted by Government." We only know that no lease of the property has as yet been made; but whenever it is leased our friend may rest assured that the terms will be fair to the applicant, creditable to the Government and contravening no " public interest," properly so called.

## THE PAST WEEK.

The United States Guano law of 1856.

As the fact of Lieut. Brooke having claimed the rights, benefits and emoluments of the guano discovered by him at "French Frigate shoal," to the N.W. of this archipelago, has given rise to some talk, and some varied opinion, displaying more or less ignorance of the United States' law bearing upon the discovery and discoverers of Guano Islands, we applied to the Commissioner of the United States, Hon. J. W. Borden for a copy of the Act of August 18, 1856, which he courteously furnished and we now publish it entire. Guano discoveries are evidently the enterprise of the day, and Honolulu is becoming the centre of Guano operations; therefore it is always proper, and may be profitable, to know the laws of different countries which affect

CHAP. CLXIV .- An Act to authorize Protection to be given to Citizens of the United States who may discover Deposites of

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Tha when any citizen or citizens of the United States may have dis covered, or shall hereafter discover, a deposit of guano on any island, rock, or key not within the lawful jurisdiction of any other government, and not occupied by the citizens of any other government, and shall take peaceable possession thereof, and occupy the same, said island, rock, or key may, at the discretion of th President of the United States, be considered as appertaining to the United States: Provided, homever, That notice be given by such discoverer or discoverers, as soon as practicable, to the State Department of the United States, of such discovery, occupation, nd possession, verified by affidavit, describing said island, rock or key, and the latitude and longitude thereof, as near as may be, and showing that such possession was taken in the name of the State Department that such island, rock, or key was not, at the time of the discovery thereof, or of the taking possession and occupation thereof by the claimants, in the possession or occupation of any other government or of the citizens of any other Spc. 2. And be it further enacted. That the said discoverer or

discoverers, or his or their assigns, being citizens of the United States, may be allowed, at the pleasure of Congress, the exclusive right of occupying said island, rocks, or keys, for the purpose of obtaining said guano, and of seiling and delivering the same to citizens of the United States, for the purpose of being used therein, and may be allowed to charge and receive for every ton thereof delivered alongside a vessel, in proper tubs, within reach of ship's tackle, a sum not exceeding eight dollars per ton for the best quality, or four dollars per ton in its native place of deposit: Provided, honcever, That no guano shall be taken from said island, rock, or key, except for the use of the citizens of the United States, or of persons resident therein, as aforesaid. And royided, also, That said discoverer or discoverers, or his or eir assigns, shall first enter into bonds, with such penalties or securities as may be required by the President, to deliver the said guano to citizens of the United States, for the purpose of being sed therein, and to none others, and at the price aforesaid, and to provide all necessary facilities for that purpose within a time to be fixed in said bond. And any breach of the provisions thereof shall be taken and deemed a forfeiture of all rights accruing under and by virtue of this act.
Sac. 3. And be it further enucled, That the introduc

guane from such islands, rocks, or keys, shall be regulated as in the coasting trade between different parts of the United States, and the same laws shall govern the vessels concerned therein. SEC. 4. And be it further enacted, That nothing in this act contained shall be construed obligatory on the United States to tain possession of the islands, rocks, or keys, as aforesaid, after the guano shall have been removed from the same SEC 5. And be it further enacted. That the President of the United States is hereby authorized, at his discretion, to employ

the land and naval forces of the United States to protect the rights of the said discoverer or discoverers or their assigns, as Sec. 6. And be it further enacted, That until otherwise provided by law, all acts done, and offences or crimes committed, on

every such island, rocks, or keys, by persons who may land there on, or in the waters adjacent thereto, shall be held and deemed to have been done or committed on the high seas, on board a merchant ship or vessel belonging to the United States, and he punished according to the laws of the United States relating to th ships or vessels and offences on the high seas; which laws, or the purposes aforesaid, are hereby extened to and over such

# APPROVED, August 18, 1856.

The Volcano. By the schooner Mary, Capt. Berrill, which arrived on Sunday last from Kawaihae, we learn that the volcano was still very active and that at night its brilliancy of light was rather increasing. It is supposed that one, if not two new craters have opened on the side of the mountain. At Wainanalii jets to those with whom he treats. of steam are still sent up from the water.

The Frenchman Archard, whose examination before the Police Magistrate we mentioned on Saturday last, in connection with the death of Louis Rossell, was permitted to stand his own recognizance for his appearance on Tuesday this week, when at the instance of the District Attorney he was discharged, there being no evidence of a criminating nature against him.

We are under obligations to his Excellency, Mr. Wyllie, for late Tahitian and Chinese intelligence. Also to Capt. Von Holt, of the brig Hero for late China

Our thanks are due to Messrs. McRuer & Merrill of San Francisco, for favors per Yankee and Fleetwing.

Also to Mr. E. C. Pope for similar favors per

Yankee. Mr. J. W. Sullivan of San Francisco will also accept our thanks for his continued favors.

More Gunno Islands!

It has been said that "Cotton is King," and such perhaps may be the fact in other portions of the globe, but in the Pacific Guano is King, or very soon will be. If fortunes are capricious jades, they are also gregarious and, like Cape Cod people, love to go together. No sooner have we dried our pens and set about working that continent of guano just discovered to the N.W. of us on French frigate shoals, than the very next turn of the wheel brings up a whole constellation of Guano Islands to the South and S. S. W. of us with guano of undoubtedly superior quality to any of the phosphatic guano yet brought to our notice. This discovery is the result of the expedition fitted out by C. A. Williams & Co. of this place in the schooner E. L. Frost, some weeks ago. The names, Latitudes and Longitudes of the islands, where the guano deposits were found, will be seen by referring to the notice of the United States Legation in to-day's paper. That our islands are the only civilised, christianized, commercial place to act as a common centre to all these differconclude with another. "He who makes a spear more he who brings the guano that makes the grass make among the feathered inhabitants of those islands! We shall have a convention of boobies and man-of-war-hawks next to protest against the appropriation of their deposits.

The commercial and economical bearings of these discoveries we will endeavor to elucidate more fully at our earliest leisure.

Last evening about 8 o'clock a small frame house in the rear of the Commercial Hotel caught fire and was consumed. The celerity with which the engines were on the spot was the subject of general remark and well worthy of note.

#### Singular, but so.

We learn that the schooner E. L. Frost on her late expedition after guano sailed over a shoal, situated less than 100 miles W.N.W. from Bird island, with from 17 to 20 fathoms of water and a coral bottom. The shoal was upward of 50 miles in extent from N. to S. After reading Darwin and Dana we are not astonished that there should be an area subsidence in that direction, but that it should have been unknown until now is rather singular, considering the amount of cruising in that neighborhood in times past, when the sperm whale ground extended from Bird Island to the meridian.

### The Wonderful Olive.

Take heart, ye drunkards! here is a discovery which we copy from l'Echo du Pacifique, Feb. 22 :

" A German Doctor, M. Beck, has made a curious discovery, which destroys the effect of alcoholic beverages by the aid of a mineral pill enclosed in an olive. The celebrated drunkard Radevil drank successively three bottles of brandy, and, after each one, swallowed a prepared olive. Neither the reason nor the health of Radevii were affected.

"Judiciously applied, this wonderful olive will diminish, in a great measure, the business of Judge Coon, who is every day obliged to inflict punishment on half a dozen blackguards or more. The policemen might have some of these olives in their pockets and administer them to thirsty souls in a state of feebleness. Only those should be punished who refuse to swallow

From the San Francisco papers we learn that the Sea Serpent, which left last week for Hongkong with a number of returning Chinamen, brought also \$179,-257, forwarded by different Chinese houses in Cali-

## HAWAIIAN LEGISLATURE. ADJOURNED SESSION 1858.

House of Nobles.

MARCH 14th, FIFTY-FIRST DAY .- No business before the MARCH 15th, PIFTY-SE OND DAY .- Prayer. Minutes of the two list meetings read and approved. Prince Kamehanieha of the committee of conference reported, recommending the House to recede from its amendment transferring Article 52 to the "Department of the Interior," also from the amendments in sections 1:91-2; that the amendments in sections 1277-8 be insisted on, and that section 1274 be amended to read "There shall be a bureau in the Department of the Interior to be called the Bureau of Conveyances. lajesty shall appoint, upon the nomination of the Minister of the Interior, some suitable person to superintend said Bu the 'Registrar of Conveyances,' and hold his office at the leasure of the King," Report received and adopted. Adjourned.

## House of Representatives.

MARCH 11th, EIGHTY-FIRST DAY .- Mr. Robertson read the first time his bill to regulate cemetery associations. The Rules were suspended and the bill read a second-time and referred to the Committee on the Judiciary.

The Speaker read a communication from the Minister of Foreign Relations, transmitting twenty copies of the native version of a portion of the Appendix to his Report. On motion of Mr. Sheldon, ordered to be translated and printed, as

FOREIGN OFFICE.

Six: I have the honor to enclose to you, for the use of the native gentlemen Members of the Honorable House of Representatives, twenty copies of the native translation of a portion of the Appendix to my Report on the King's Foreign Rela-

The reply of His Royal Highness Prince Kumehameha and nyself, of 2d September, is of particular importance to be read connection with M. Perrin's statement of 25th August, 57, recorded at page 54 of the English version, and at page of the native version of the Protocols I beg to remark that nothing said at page 43 of the English ersion of my Report, while contrasting the diplomatic merof the late King's Commissioners with those who represented France during the conferences on board the Gassendi, is to e understood in contradiction to what I said at page 59 of the English version, as to the conferences with M. Perrin in 1:51,

which were all harmonious and in strict accordance with diplomatic rule. In illustration of what that rule is, I crave your permission a quote from the Diplomatic Guide, by the Baron de Martens,

"If we wish to overcome the passions of another, we must know how to master our own. Without this empire over our selves, we ever involve ourselves in false steps; carried away by the current, we cannot watch occasions or seize favorable moments. We do not know to employ the sweetness of insinuation and the charm of words. Our passion warns others to set us at defiance and creates a suspicion of interests

"They often blind us so as to deceive us in regard to the nature of the measures which we ought to use, and the manner in which we should use them. A man who wishes really succeed in his negotiations ought to know how to conceal his passions, even to the degree of appearing cold when he is esten with chagrin, and tranquil when he is agitated by the greatest perplexity.

After having acquired powers to govern himself, the first

care of the negotiator ought to be to make himself agreeable "If the character and means of persuasion are known, there ill remain considerations which result from the combination of the nature of affairs and the disposition of the persons with whom we treat. We often find men very difficult to be connced, and as difficult to be moved, and who recoil from all deas of which they do not believe themselves to be the authors. t is not the want of knowledge or the defect of passions which causes this difficulty; it is the attachment of the man to his own thoughts; it is the vanity of not taking instruction of others; it is the distruct of formal proposals which render him deaf to the voice of persuasion. With characters of this kind sinuation is necessary, which is a round about way of suggesting to men ideas, in such a manner as that they may think the n their own. As the small passions which oppose the entrance of truth into those minds, are very common and mix themselves up in the character of all men, it may be said in general that the art of insinuating is of more universal usage than that of directly persuading. "The pliancy of a negotiator is the condescendence of a su-perior man rendered to the deportment of others; that of com-

perior man rendered to the deportment of others; that of common life is only a servile custom of abandoning the liberty of ideas and of sentiments to the first comer who wishes to take possession of it."—[Translated from the original French, under the heading, "Des Negociations ou de l'art de Negociar." Permit me to add further, for the information of the native members, if you find it necessary that the great and powerful Czar of Russia, in his Manufesto to the world of 20th March, 1854, on the causes of the late lamentable war, not only took credit to himself for the moleration and forberses. credit to himself for the moderation and forbearance of his policy, but declared "Unprejudiced minds will have been able to discover there all the successive concessions made by Rossia for the maintenance of peace, before as well as after the

Vienna note. Allow me also to state, for the same purpose that the Queen of proud and haughty Spain, in her recent speech to the Cortes, did not disdain to claim credit to her agents and officers for the "moderation and temperance" which they had dis-

played while treating with Mexico. It was in accordance with these principles and in conformi ty with such illustrious examples (of which many others might be given) that I thought, and still think, the King's Commissioners on board the Gassendi deserving of all the praise be stowed upon them at page 43 of my Report, and of the strong contrast, founded on the actual language used by them and the other negotiators, which it was the object of my Notes to the conferences to make prominent.

If the honorable members will bear in mind that reprisals

had actually been made before thuse conferences comand that the highest duty of the Commissioners was to prove to France and to the world that those repristls could not be Justified by any principle of international law whatever, their stedied pliancy of manner, and even the offer of Hawaii of m, were all master strokes of policy, and justifiable by the highest authority on the art of negotiating.

Theed not tell you, an eminent jurist, that the rule of that art is entirely the reverse of a forensic contest between counsed to each other in Court. Both the Baron Charles sel opposed to each other in Court. Both there are no higher de Martens and Monsieur Flassau (and there are no higher thorities in Diplomacy) condemn any thing like forensic ar in negotiations or diplomatic dispatches, or any artful preparaion of the same betraying such design, as sure to give of

If I vio atethis rule myself, as I confess I often do, it is because under the political creed of 20th June, 1845, referred to in the supplement to my Report, I have always considered that I would ill discharge my duty to the natives if I did not quote them in my Report and in dispatches to be submitted with iera, the very words of the authorities on international law, which have guided me in the direction of the foreign affairs

which concern the State. The amendment of the 23d July, 1855, to the 54th Article of the Constitution, obliges the Ministers to present to the Legislature their Reports made up to the first day of the fiscal year, within one week after the opening of the Legislature. This, so far as I am concerned, if I am to report fully as heretofore,

For instance, my Report in manuscript was completed on the 31st March; yet I could not get it from the Press till the 6th December; and since, I have been obliged to send in piece-meal the Hawaiian and English versions of the French Protoels an ! Appendix, just us they could be printed and translated, as shewn by previous letters addressed to your predecessor and to yourself. Even more than half of the documents referred to in my Report, all of great importance, had to be sent because there was no time either to print them or translate them. For these reasons, either the constitutional obligation must

be altered, or I must change altogether the system of reporting fully to the Legislature, which hithorto I had considered an essential point of duty, although its performance required much labor and no small expense.

Repeating the assurance of my high respect for you and the

Honorable House over whose deliberations you preside with so much ability and u-efulness to the Kingdom, I have the honor to be, Sir, Your most obedient, humble servant,
(Signed) R. C. WYLLIE. (signed)

Honorable J. W. Austin, Speaker of the Hon. House of Representatives, &c. &c. The House then went into committee on the Nobles' amend ments to the Civil Code. Section 26 was concurred in. The her amendments, up to section 106, were non-concurred i and referred to the Joint Committee of Conference. In disong argument ensued on a motion to concur. The House refused to concur, 11 to 9. Adjourned.

MARCH 14th, Eighty-second Day .- On Saturday and Monday the Lower House was occupied in considering the amendments of the Nobles to the Civil Code, most of which the House refused to concur in, and referred to the Select Com ittee of Conference. Adjourned. Mascu 15th, Eighty-third Day .- A message was received rom the Nobles transmitting a Hospital Act, which had been

MARCH 16th, Eightt-Fourth Day .- Mr Sheldon was appointed the Chair pro tem, the Speaker being absent. Mr. Chamberlain offered a resolution fixing Thursday, April 5, is the day for the final adjournment of the Legislature. Refer ed to a Select Committee consisting of Messrs. Chamberlai

The Hospital Bill passed a final reading. The House proceeded with the amendments of the Upper House to the Civil Code, pending which adjourned,

MARCH 17, EIGHTY-FIFTH DAY .-- The House went into comultice on the Nobles' amendments to the Civil Code. In considering the amendment depreciating Spanish quarters and risks was, on motion of Mr. Robertson, non-concurred in, and referred to the Joint Committee of Conference Mr. Sheldon read a first time a joint Resolution appointing Richard Armstrong and G. M. Robertson as commis superintend the printing and publication of the Civil Code and to conform the Hawaiian and English versions. Referred o a select committee to amend.

eldon and Kalama.

Mr. Sheldon gave notice of intention to introduce a joint resolution in respect to the annual reports of the Department of Foreign Relations. Adjourned. MARCH 18. EIGHTY-SIXTH DAY .- Mr. J. D. Kahookano, elect

ed from Labaina in the place of Mr. Kaumaea, deceased, esented his certificate, was qualified, and took his seat.

Mr. Chamberlain, from the select committee on the final adjournment of the Legislature, recommended the passage of the Resolution fixing the 26th of April as the day. After considerable debate, the resolution was tabled, i4 to 8. Adjourn

Mr. Robertson, from the committee on Finance, reported a mmunication from the District Attorney of Oahu, giving his ral opinions on the questions raised by the English and Amerimissioners respecting the duties to be imposed by this presented here by those officials. The following is the dispatch BROOKSIDE, 15th March, 1859.

Speaker of the House of Representatives: Str.: This morning there was placed in my hands as District Attorney of Cahu, by the Chairman of the committee on Finance, a resolution passed by the House over which you preside, rein writing on the question involved in the diplomatic correspon fence on the subject of the duty on Spirituous Liquors, transmit ted to the House by the Minister of Foreign Relations, to aid the committee in framing their report thereon, accompanied by a etter from H. B. M. Consul General, bearing date January 25th. 1859, and another letter from the United States Legation, dates January 24th, 1859, both addressed to the Minister of Poreign Relations of this Government, together with his letter conveying the same to you, dated 27th January, 1859, in which he states in view of the inequality complained of by both Conhe King's Government rely upon the wisdom of the Legislature to take the subject into their prompt and careful consideration,"
—all of which are now returned—with an intimation that my opinion is desired on the question involved in the Diploma

I regret that I am not more specifically advised upon what pretion my opinion is desired; but as I can in expected to act as a political adviser to the House of Represe atives, or any of its committees, I take it for granted my vie on the policy of yielding to the suggestions or claims of the Re resentatives of Great Britain and the United States are no anted. Besides, it is too generally known that my advice, under all circumstances, has been adverse to the yielding, on the part of this Government, to any claim or pretence in any way in riering with the absolute sovereignty and independence of th tual compulsion, to render it necessary that they should again be

The question then, as submitted to me, I understand to be :-Has Great Britain or the United States, under the parity clause in the respective treaties of each with this Government, the legal right to demand that the distilled spirits, the products of those countries, shall be admitted to entry upon the payment of an advalorem duty, to be fixed upon their cost, rather than a specific

buty upon a measured quantity. I am clearly of the opinion that this Government is a party to no treaty, as yet promulged, that has surrendered its rights to fix specific duties at its discretion on the importation of all distilled irits except Brandjes, upon which the rate of duties to be im sed for a limited period, as fixed in the Treaty between this overnment and France, lately ratified, shall not exceed three nited States and Great Britain have a like right with France to mand that Brandies, the products of their soil, are not to be harged beyond \$3 per gailon, specified duty; but that privilege es not extend to bin or Whisky or other distilled spirits. When, under compulsion or as a consideration for the surren der of a burthensome restriction, our Sovereignty surrenders or yields as an equivalent, the collection of its own imposts, the

presumption is clear that it was its purpose to withhold a maintain to the fullest extent all the rights not granted away. If this Government was to-day released from the burth s upon its sovereignty imposed by the tenth Article of the French Treaty recently ratified, it would be free to fix such specific duties on the importation of wines and brandles as wise tical economy would prescribe, it will be conceded by even ireat Britain and the United States, and it yet holds and has the legal and political right to maintain entire legislative control wer the importations of all other distilled spirits and intoxicat g drinks not specified.

Brandies are a well known article of commerce, and are des bed by an able author as "a spirituous and inflammable liquor, btained by distillation from wines and the busks of grapes." The Legislature has not the power to fix a specific duty \$3 per gallon upon that specific article, as limited by the treaty with France, when imported as the products of the countries with which this Government is in treaty relations-but where is the ion to be found that \$10 per gallon shall not be impose upon American whichy and English gin distilled from the cereals? "It is not in the bond," and although it may be unwise for the Legislature to exercise its right, in my opinion it clearly possesses i., to impose a duty at its discretion on all other distilled spirits than brandies. Great Britain and the United States both exreise a similar right, and even France does not question the im sosition of a duty of fifteen shillings upon a gallon upon French brandles by Great Britain, while in bond they are valued at from to 5 shillings per gallon.

gin and braudy against specific duties upon the cheaper article seems to me entirely without foundation.

It may be true as assumed by the Commissioner of the United States in his dispatch, that American whisky can be delivered in this port in bond at sixty or seventy cents per

The argument based upon the difference of cost of whisky,

gailon, and that French brandy at not less than \$3. But what oes that fact prove? Not that the products of the different countries are the same, and equally in demand, and as an ar ticle of commerce are to be treated alike. By no means. It is only a declaration that America does produce and send abroad a distilled spirit of less cost and less value than French brandy. How is it with Longworth's brandy distilled at Cincinnati, in the United States. Can that, as brandy of American origin be laid down in this market at a cheaper rate than "Brandies of a French origin." Would they not rather command a higher price? If so, could France claim to have its commerce in brancies put on equality with that of the United States by the reduction of the duty of \$3 per gallon upon "braudies of French origin" to an ad valorem standard? If not, upon what ground stand the United States in making a

The fallacy of the positions taken by the Representatives of of medicine to those living in the towns where there Great Britain and the United States is the assumption on the are regularly educated practitioners, not one of part of both, that all distilled spirits are the same in their effect-are intoxicating liquors and that in commerce are to be subject to the same restrictions and imposts; or, in other words, that America and Great Britain produce a cheaper intoxicating drink than France and should thosely privilege of importing it into foreign lands at a less duty-that it should monopolize the market as a reward for the cheap-ness of its cost. If American whisky is to the taste, and a given quantity will produce the same degree of excitement as a similar quantity of French brandy, its diminished cost, with equal imposts, will give it the preference in the market, and it is apparent to all who have observed the trade in intoxicat-ing drinks, that brandies of French origin, and all of the foul compounds in imitation of them, are giving place to whisky and gin, and that without any legislative protection. The products of Great Britain and the United States are enjoying

parity, if not preeminence, in the estimation of the public I am being betrayed however into responding to the dis-patches of the Representatives of Great Britain and the United States, rather than giving you a legal opins n upon the de-mands they have preferred, adverse to your right to legislate for the interests of the public. As I have before said, it is my clear and fixed opinion that the Legislature of the kingdom is untrameled in fixing imposts upon all other articles than wines, the products of grapes, and spirits distilled therefrom, and that

the duties as now fixed on other distilled spirits afford no inground of complaint on the part of any government or peop

(Signed) ASHER B. BATES. ended that the dispatch be printed and the correspondence laid on the table. Adopted.

The House then took up the consideration of Article 15 of the Civil Code, "Relating to Duties." Mr. Robinson moved that the

article do now pass.

Mr. McCully moved that all brandies, gin, whisky, and other strong liquors of the invoice cost of \$3 per gallon, of the strength of alcohol, be taxed an impost duty of \$3; on all similar liquors invoiced at less than \$8, below the strength of alcohol, a duty of

Mr. Austin moved to insert a clause fixing the duty of 5 per

cent on whalemen's stores.

A long debate ensued, pro and con, in which the old arguments were reiterated, during an hour and a half, when the question was taken on Mr. Austin's amendment and resulted, 13 to 11, so the ame adment was lost and the article passed. Adjour-

## Bn Authoritn.

AN ACT TO PROMOTE INTER-ISLAND COMMUNICA.

BE IT ENACTED by the King, the Nobles and Representa-

ARTICLE 1. That C. A. Williams, A. Mitchell, James M. Green, and their associates and successors, are hereby constituted a Body Corporate under the name of the Hawaiian Steam Navigation Company with all the rights, privileges and immunities secured to incorporated companies by the Act relat-ing to corporations and subject to all the provisions

ARTICLE 2. The said company shall have the exclusive privilege of running a steamer or steamers between the several ports and islands of the Hawaiian Kingdom for the term of six years from the arrival of the first steamer at the port of Honolulu, with the exemptions and privileges granted or which may be hereafter granted to national merchant

ARTICLE 3. The said Company shall have the privilege of obtaining water from the Government tanks for the use of their steam vessel or vessels, free of charge for the term of six years as aforesaid.

ARTICLE 4. The said Company shall have the privilege, for the term of six years, of having the exclusive right, free of charge of a Government wharf on the Esplanade which shall be set apart by the Minister of the Interior for the use of their steamer or steamers for landing passengers and cus-ing the last amendment, in relation to Hawalian Hulas, a freight, and also for a coal depot, and shall be free of all port charges, and no taxes shall be imposed on said Company for such steamer or steamers as they may employ during said term.

ARTICLE 5. All coal or other materials for the production of steam and all machinery necessary for the use of any of the said steamers, shall be imported free of duty, and the vessels in which said coal or other materials or machinery are imported shall be free from harbor dues, provided they do not take on board any other article of traffic or commerce or any passengers.

ARTICLE 6. The said steamers shall be registered under the Hawaiian flag on the application of the agent of said Company who shall be a resident of the Kingdom, and said steamers shall enjoy all the privileges and be subject to all the laws affecting coasting vessels of this kingdom; and it is hereby expressly understood and declared that the right of towing and tugging is not included in the foregoing

ARTICLE 7. In order to secure the foregoing privileges, the said Company shall have employed in said inter-island navigation a good and substantial steamer of not less than 350 to 400 tons burthen, within fifteen months from the date of the passage of this Act, and which said Company shall keep employed for the said purposes contemplated in

ARTICLE 8. In case the said steamer should be lost during the term of this monopoly, the agent of the said Company shall give notice, within four months, to the Minister of the Interior that it is the intention of the said Company to replace the boat, or this grant shall be void.

ARTICLE 9. Said Company shall allow their steamer or steamers to be pressed into the Government service in any emergency calling for the use of the same, the Government paying for the use of the said steamer or steamers so used, at the same rate as the said steamer or steamers earn on their regular trips, and in event of the loss of said steamer in such service, to pay to the said Company the full value of the same.

ARTICLE 10. Said Company shall afford the Government any facilities in their power in carrying on any public improvements of the harbors of the group, the Government paying an adequate and fair compensation for the same as provided for in

ARTICLE 11. Said Company shall carry the publie mails between all the ports and places their vessels visit, and safely deliver the same to the person directed, free of charge, always giving seasonable notice of the time and place of departure.

ARTICLE 12. It is hereby expressly understood and declared that the Supreme Judicial Court of this Kingdom shall have full power to examine and adjudicate on the fulfilment of the terms and conditions and obligations of this charter by said Company, and on having due notice of time and place fixed by said Supreme Judicial Court for said examination, and on proof satisfactory to said Court that the terms, conditions and obligations have not been complied with, said Court shall have power at their discretion to abridge or modify the privileges of this grant, or declare the same forfeit.

Approved this 7th day of March, A. D. 1859. КАМЕНАМЕНА.

We agree to the preceding articles, and in testimony of our conformity thereto, we sign this in Honolulu, this 18th day of March, A. D. 1859. C. A. WILLIAMS, ALFRED MITCHELL, per his Att'y C. A. Williams, JAS. M. GREEN.

## CORRESPONDENCE.

LAHAINA, 17th March, 1859. TO THE EDITOR OF THE POLYNESIAN.

Sir :- I would wish through the medium of your paper to correct an erroneous impression which may be caused in the minds of the public by Mr. Richardson, in a motion which he brought forward in the House of Representatives on the prohibition of the practice of medicine to all except those regularly qualified " referring more particularly to the missionaries as they say the Rev. Dr. Baldwin has been sued by the physicians of Lahaina." Now sir, the physicians of Lahaina have not sued the Rev. Mr. Baldwin, but have for some time been dissatisfied that he, without professing any qualification or having conformed to the laws of the country, which require everyone practising and selling medicine to take out a license, should be allowed to do both to a very considerable extent, and a complaint to this effect was preferred against him. I would recommend the Hon, member for Wailuku to inform himself better before he makes such accusations on simply an "on dit," and also ask him how he can reconcile to himself the propriety of legalizing an act in missionaries which he would make illegal in others? Does he imagine by their calling they poss-ss an intuitive knowledge of the healing art? I suppose he will answer me by saying, Oh, they have for a long time been furnished with medicine and have paid some attention to it. Cannot any quack give the same reply, and at the same time cite any number of wonderful cures? If quackery is to be put down (which it evidently must be) no exceptions ought to be made. At present it might be no harm to give those missionaries residing in the country districts a few simple drugs the effects of which are easily understood, but I sincerely trust that the necessity for even this will soon be removed by the establishing of hospitals or dispensaries throughout the islands. But I contend that there is no reason for giving one grain whom if called upon in a ease of real distress or poverty has ever refused giving what was necessary. teur doctors have not only done much more mischief than the native, but have abused the trust placed in them by selling what was meant for gratuitous distribution. I do not mean to say that none of these gentlemen have given to the very poor, but nearly all the cases which I have seen, have been amongst the better classes of their own congregations who could afford to pay, and all have had to do so, more

Dr. Hutchinson in this town some years ago offered to distribute medicine gratuitously, if supplied with it, but for some reason or other best known to the authorities his offer was not acted upon.

I am, &c., ROBERT McKIBBIN. P. S. I send you an extract from the Londo Lancet of 4th Sept. which appears to me exceedingly appropriate, it is headed the "QUACK VALIANT."

"It is but rarely that the Quack comes forward to do battle for himself. However he may court publicity for his nostrum, for himself. However he may court publicity for his nostrum, he is commonly content to shroud his individuality in friendly shade, and to withdraw, if possible, into yet thicker darkness when his practices are assalled. Not so of James Cauty Smith, of Thorne, Yorkshire, Unitarian Minister and Homeopath. Charged in our columns by a Surgeon of the town with practicing for gain, and with having purchased a German degree with a view of deceiving the public. Mr. Smith writes to us to protect him, not on the ground that the charge is untrue, but apparently because he considers such a practice justifiable, if the name and pretexts of his conduct be somewhat softened in their description. Having attained some considerable medical knowledge in his youth, he has been in the habit of rendering that knowledge useful to the poor of the neighborhood, and personal friends belonging chiefly but not exclusively to his congregation.' In return, 'he accepts a present from some of his friends who press it upon him.' The degree which he sports was conferred upon him ' fe literary excellence, and as the does not profess to practice med-icine, be cannot conceive what business it can be of our correspondent or any one else.' Surely this is the very same of pre-sumption and shortsightedness! There are constituted authori-There are constituted author ties who are especially entrusted with the power, as they posses the fitness, to judge what opportunities are really sufficient to afford medical knowledge, and what smount of knowledge justifies the authorization to practice medicine-or in other words, to indertake the responsibility of dealing with a matter of life and What does it serve the poor creatures who fall into his hands, that Mr. Smith 'does not profess to practice medicine. since he confesses that he practices without such profession? If there be within the spiritual domain of Mr. Smith any Sunday reorts of unhallowed amusement to which the proprietor does not profess to admit the public by payment, but allows them to enter | the sales, he puts on from 8 to 150 per cent. as a guarante-If they wish, and consents to accept sixpence in return for a re-freshment ticket, if they press it upon him, he probably puts a slight value on professions which are so annulled by practice. This would afford, however, a close parallel to the course which this letter describes. How does Mr. Smith define the line at which his Homeopathic services, ceasing to be useless, may become dangerous; and in cases, as he writes, he thinks it necessary at length to call in the aid of an efficient medical man, how can he reconcile to his conscience the dangerous delay his ministrations

### TO THE EDITOR OF THE POLYNESIAN.

Honolulu, March 18th, 1859. Sin: While the Legislature is pending over the Memorial so strongly signed by the leading merchants of the place, who sail their vessels under flags of foreign nations, relative to the apprehension and security of seamen who man their vessels, would it not be worth a moment's attention of our wise law givers to see what their own coasters have to put up with? A schooner, ready to sail for a neighboring island port, her mails on board, her passengers waiting, is suddenly put hors du combat by the desertion of a native, one of her crew. Time is money, and as the whalers are now here, notwithstanding the croakings that none of the Spring fleet will touch here, a sailor to replace him cannot easily be procured. Perhaps he has been decoyed away by some one who knows that the man whom the schooner misses is a good man. Perhaps-coetera desunt. The Master goes to the proper subordinate authorities to have him arrested; he obtains for reply-they have nothing to do with native sailors. Cannot the assembled wisdom of the nation do

#### something for the POOR COASTERS?

COMMERCIAL.

- When we commenced this series of "Commercial" articles, we distinctly disclaimed any specific or technical knowledge of the war-cries of the mercantile Montagues and Capulets, or the clap-trap Shibboleths that hang upon their rear. But believing that principles are anchangeable, and that principles do underlie mercantile transactions, as well as those of other folks, and fix their values, whatever the outward stamp and bearings may be, we have endeavored to act up to our idea of what a commercial article should be, in a place where commerce fluctuates so much from sharp to flat and back again; and the approval we have so widely received is an homage to principle, an honor to the mercantile class, and an encouragement to ourselves. Adopting then the expression of the bosom friend of the great Merchant-

"Ozni cosa è possibile a chi vuole." we shall endeavor to make the "Commencial" articles of our journal the reserved column, to be studied and remembered-not

-Progress is a word, so much used, so little understood, that, in the absence of "plenary inspiration," we may be absolved from presumption if we offer our own "private interpretation" of its meaning. Etymologically and originally used by the loftiest of intellects, the wisest of men, to indicate the art of advancing from any given position, in the social, moral, political or commercial life of a nation or an individual, to another not previously ward light-progress was never positive, never superlative, but always comparative. This word however has had the fate-we will not say misfortune-to become fashionable, to be worn as a charm round the neck, instead of nursed as a truth in the heart; to be wrung in upon every conceivable occasion, with a vehemence of manner and loudness of tone, to palliate wrong, to fortify prejudice, to cover up selfishness and ignorance. While everybody pretends to be progressing, few are really advancing because, having no other conception or object than that of motion, they start without a departure and make no allowance for Iceway. "Life is motion," say Coleridge and Poe, but motion is progress or the reverse, according to the direction it takes. Not a few, after shouting themselves hourse and their neighbors deaf with this terrible watchword; after impregnating the world around them with their own fidgets; after upsetting systems and experimenting on every thing in creation, and some things beside, discover, while preparing their last trial-balance on earth, that with all their progress, progress, they have not advanced an inch, lucky if they have not retrograded from where they

There are certain postulata which go to the making of progress, of which we must not be ignorant if we wish either to move onward ourselves, or pronounce on the motilon of others. We must start with the modest acknowledgement that there is light beyond our light, and hights above our heads; for conceit is a clog to progress, a fire-damp of the mind. We must have a clear, unclouded perception that progress is only a means, and truth nity. Sisyphus and his stone would be embiamatic of such proas individual exceptions; the idea with its responsibilities will be ballast to our minds and enable us to kick the clap-traps and humbugs out of our path. And we must firmly believe, as we destiny, and can neither shirk the obligations nor evade the penalties of his condition by calling in any other destiny, whether "manifest" or occult, to be sent in the desert with his sins like the scape-goat of old. If to this we add a proper regard for the weakness of some, a proper respect for the strength of others, and a proper consideration for the comfort of all, then progress is possible if there is a will to work and an energy to persevere.

Should any one ask, what has all this to do with commerce, we would say-much. Progress is never simple, always complex. The mere accumulation of wealth is not progress. The miser accumulates, but does he progress? Commerce, agriculture, polity, society, act and react upon each other, and there can be no progress in one branch without a corresponding movement in the

-It has been said, with as much propriety as felicity of expression, that Honolulu is the Belvidere of the Pacific, and canappreciate and avail themselves of the position. There is a text for a prize essay, to be delivered before the Honolulu Mercantile Association, as soon as three merchants can be found united on whether of home grown materials or foreign bricks, or a judicious mixture of both-and also as to what sort of ladder is to be used to convey the operators to the top of the building. Some people preferring a ladder that can be kicked away after they are safely housed; while others would make it an integral part of the building, to be kept like Ziska's drum or Soblesky's garments, and for the same purpose; while still others would make it the most prominent part of the building-in fact, have nothing but ladders with sperm whale laws for bannisters and right whale slabs for

We clip the following interesting article from the commercial column of the New York Independent.

Probably no merchant of standing in this or in any other large

city of the country, is unacquainted with the new system of obtaining information in regard to the standing of business men. These agencies have become a necessity. Rightly managed, they are not only a great protection, but a great blessing to the entire trading community. They endeavor to obtain reliable informaion in regard to every individual merchant in every line of bu iness in the country. That information embraces all that is known or can be learned about the pecuniary strength, business capacity, moral character, social standing, and-everything which a man wants to know concerning his fellow, with whom he may have, or purposes to have dealings. This work is performe by local and travelling agents, whose business it is to be 'posted' in regard to everybody in trade, including those whose names are in any way brought before the commercial world. If a merchant allows his note to go to protest, the next mail or the telegraph is employed to convey the information at once to "headquarters" in New York. If a merchant mortgages his farm, carries over a heavy stock, is inattentive to business, drinks, gambles, drives fast horses, or lives beyond his means—such news is promptly communicated. Many a man is astonished at the revelations in regard to himself which are made to him in New York. Now and hen, of course, mistakes are made, as all men are fallible, but generally the trnth is communicated. It is no uncommon thing for merchants, who consider themselves wrongly reported, to present their case in person to the agencies here, asking "to be set right." We say that the truth is generally reported—and for this simple reason, if no other existed, it is for the interest of all parties, except rascals, that the exact truth should be known. If an "agency" should report a man worth \$10,000, when he was only worth \$5,000, it would soon be found out, and the agency pronounced a humburg. There are so many ways to correborate information that errors are easily detected. Many men are re-ported to have "small means," but are "men of energy, of good character, and attentive to business." Such find no difficulty in be rendered. The Bedford papers please copy.

obtaining credit: others are reported to be "rich" or "well off: or worth so many thousand dollars, but are men of the oppose stamp. With such a state of facts, what are called responsible men often receive a cold reception. In "these latter days" it is being found out that character as well as money is of some consequence. A drinking, swearing, gambling rich man is too poor for any New York merchant to sell to—except for cash. (Young men whose principal capital is in fine clothes, cigars, mint-inleps, fast horses, and—other things to match, will please take a note of this. Instead of visions of wealth, they need no prophet's eye see poverty, Blackwell's Island, Sing Sing or an early grave The leading "Agencies" in this city are those of B. D.

Co. and McKillop & Wood. They are both worthy of the patronage of the entire business community. We speak schat we know. Wonder if the system is adopted in San Francisco and Honoinlu " We suppose such agencies are honest, whatever other epithets may be applied to them. At best, it is a commercial inquisition whose fruits, like treason, may be paid for and enjoyed, but certainly cannot be recommended. The knowledge of such a Damocles sword can hardly fail to drive the young business man into hypocrisy or despair.

Have our readers ever traced credit through all its windings and crevices? Let us, for a few moments, putting down the he ures, contemplate how much is paid for credit. Take the artic of tea, familiar to us all. A credit on London at an expense of per cent, the tea shipped to New York is sold by the six months' credit equal to 31, and guarantee 21 per cent. Fo low it in the hands of the jobber who supplies the retailer, credit given—say equal to 3% per cent, and 2% guarantee. It now in the hands of the retailer. Expecting to lose a portion against such loss—in all sinking a sum equal to 20 per cent upon the industry of the country. Why should he who pays subject the industry of the country. Why should he who pays sub-himself to this extra charge, simply to pay for him who does the speculator, the gambler, the politician, the drumard in spendthrift, the idler, the vicious, the thief, and the blackguard Now, suppose we who pay buy for cash, would we not save nee? The limitation of credit want large portion of this expense? The limitation of credit would drive the idle to work; and this reform is needed especially in the

All that is very pretty, and, what is better, true as gospel; but

do not credits begin at the bottom of the social ladder and work

themselves upwards through the whole row of commercial hierarchs? Do they not begin with that great number of small perple who work for their living and are obliged to wait to the end of the week, the month, the quarter, or the year, before they receive their wages? Can they support themselves and family during six days on a promise to pay on the seventh? Their poessities drive them to ask credit. The stimulus of competition, if not of humanity, arges the dealer to give credit, and, having given it, to ask for it in his turn from the wholesale merchant who pays the producer at 60 or 90 days sight. The credit system can never be done away with until advance payments be adopted by the moneyed few to the un-moneyed many, for labor done. -DEARTH OF DIAMONDS .- A mercantile letter from Bahia, dated 12th of Nov , gives the following information bearing upon the import trade of that place: "The falling off in the product of diamond mines during the last few months Is some alarming, when we consider the important bearing it has upon he trade of this province; and it behooves the shippers of ufactured goods to give this fact their serious attention, and not

mers-but from districts far apart from that diamor We suppose that the manufacturers of paste will take heart after that. Diamonds are not a mercantile commodity in Honolulu, so we can afford to take the " alarming" intelligence coolly.

to be lead away by the present temporary demand, arising, as

does, not from the Chapada-which was wont to bring us good

-The Melbourne Argus of the 30th of Nov. says: The following is a statement of the customs revenue collected at all ports of the colony of Victoria during the third quarter of

Geelong, ..... 50,780 12 3,79 - 14 10 Portland,..... Port Fairy, ... Warrnambool, ... Other moneys recv'd by the Commis-582 6 3 signer of Trade and Customs, ....

-From the New Zealander of Nov. 6th we clip the following lately passed harbor regulations for Port Wellington:

A snug little sum for a country that had not a name twenty

"The rates of pilotage into or out of the port of Wellington, from or to the distance of one league from the Pilot Station, are Vessels under 200 tons, 4d per ton,

200 to 300 tons, 33/d 300 to 400 tons, 8d 400 to 600 tons, 236d "

600 and upwards, 2d \*\*

But no pilotage is to be chargeable on any vessel engaged in the coasting trade, unless the assistance of a pilot be required by the master of the vessel. The master of every vessel requiring a pilot to conduct her to sea, must make an application at least twenty-four hours previsly at the office of the Harbor Master. Pilots are not bound to conduct any vessel to sea until pay-

nent of the pilotage has been satisfactorily secured.

Pilots on being appointed to outward bound vessels, before mercial life of a nation or an individual, to another not previously taking charge are to ascertain that their decks are clear, and that attained; a progressio of tenebris in lucem—from darkness to—they are sufficiently manned, and in a proper state for working as regards masts, rigging, sails and and HONOLULU, MARCH 18, 1859.

> COFFEE.-The market is nearly clear of any for shipment. Small stocks of Hawaiian coffee held at 14@16c, according to

> Cigars - 220 M arrived per Hero from Hongkong. 200 M No. l sold at private sale, about \$30. 10 M No. 2 do, about \$19. The market here being nearly bare. Excuasge.--Par to 1 We dis. on short sight bills on the U.S.

Fagights-Nominal at last quotations. The news from the whaling fleet on the Coast of California may, however, induce the charter of another vessel for shipment of oil to English or German ports. We hear of 650 bris whale oil ex Metropolis being shipped in the Gladiator this week. We hear that the season's catch of the Hawaiian bark Faith, 1100 bbls whale, will be shipped in the Syren for the United States, in bond.

Fungus .- 5711 lbs sent this week to San Francisco also for account of shippers. The article being in demand here as well as on the coast, where, in fact, by last advices, the market remains firm for all Hawaiian produce.

LUMBER.-Stocks in first hands continue heavy of both Northwest and American-the former jobbing slowly at 4c, the latter at 76gSc. The Jenny Ford, with a full cargo from Puget's Sound, will be due in a few days, besides the L. P. Foster, from do. Molasses .- A heavy stock on hand and no sales. Nominally

Oils. - Whole, no transactions reported for foreign shipment. Small lots have been sold from the ships to the shore at about 5:c # gall, for whale oil. Cocoanut Oil-10,000 gallons Fanning's Island were sold, ex Advance, for shipment to the Atlantic coast, U. S., at 50c F gallon. PCLU.-2800 lbs went forward in the Adelaida on shippers' ac-

count. None in town till the Liholiho arrives from Hawail. SUGAR.-The amounts in the market very light, the Addaida having taken the greater portion. The Liholiho, from Hilo, daily expected, will probably bring a full load, say 100 tons, while no sugar is expected from Kauai during the continuance of , his blustering weather. Best quality held at 7607%c; dark, 6c. TEA .- 300 boxes Oolong, fuir quality, ex Hero, sold on private

The balance of the Hero's cargo, from Hongkong, was sold at anction yesterday (A. P. Everett's rooms) and realized fair prices, the bidding being spirited. We quote the following: Camphor Wood Chests, \$19% @\$25. Nests of Trunks (camphor), 3 en, \$20%@\$21.

Do do do 4 ca \$34%. Nests leathered, ass'd, 8 ca, \$22%. China Rattan Chairs, ass'd, \$2 56@7%. China Extension Chairs, \$860 \$12. Nests of Clothes Buskets, \$6 31 16 007 %. Manila Rope, ass'd sizes, 19c W fb. Manila Hats, ass'd, 41c@\$1.

China Rice, about 15,000 lbs, 4@4%c. Cloves, 19:2017c 2 D. Mosquito Netting, \$3 56%@\$3 68%. China Matting, ass'd widths, 4@6 qu, \$9%@\$18 50.

Ship Norseman, Capt. Haskell, would sail from Boston, Feb. 21st for Honolulu, touching at Valparaiso, consigned to J. C. Spalding, with an assorted cargo of lumber, coal, provisions, Clipper ship Pleetwood, of Pierce's line of packets, sailed

Vessels up for Honolulu.

from Boston for Honolulu via Tahiti, Feb 6. The following vessels will leave San Francisco this month: Frances Palmer, for Honolulu; Polynesia, for Jarvis Island, vin Honolulu; Melita, for Honolulu.

Am brig Koloa, left Boston Sept 30, cargo to H. Hackfeld & Co. Am bark Friendship, due the 1st of March, from Puget Sound; lumber to H. Hackfeld & Co. Am brig L P Foster, due March 20, from Puget Sound; lumber

to H. Hackfeld & Co. British clipper ship Ses Nymph was to sail from London for

Victoria, V I, via Honolulu. Am clipper bark Sachem. Atkins, salled from Boston Nov 5, in Pierce & Co's line of Packets. The brig Emma, Hemmel, cleared from Liverpool Aug. 19,

for Honolulu and San Francisco. Brem brig Aloha, Stoever, was to leave Bremen early in Oct. for Honolulu to fit for whaling, by Hoffschlaeger & Stapen-

Clipper bark Fantome, 300 tons, to leave London about the middle of August for Honolulu and Victoria, V. I. Clipper ship Queen, to leave London about the end of Aug. for Honolulu and Victoria, V 1.

DIED.

Jan. 81, on board the British ship Piscero, John Percival, seaman, of water on the brain. He had little serious sickness till within a few days of his death, when he became insensible. March 16, off Kawaihae, Jons Y. LUTHER, a native of Pico.